

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF  
MISSISSIPPI**

<b>HILL, et al.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No: 3:14-cv---213-SA-RP</b>
	)	
<b>HILL BROTHERS CONSTRUCTION</b>	)	
<b>COMPANY, INC., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MOTION FOR AWARD  
OF ATTORNEYS' FEES, EXPENSES AND INCENTIVE  
PAYMENTS FOR CLASS REPRESENTATIVES**

**COME NOW** Plaintiffs Robert K. Hill, Donald Byther, Sandy Byther, Keith Clark, Samuel Copeland, B.T. Erve, Percy Evans, George Flakes, Scott Goolsby, Sheila Kelly, Paul Leonard, Fred Smith, Dewayne Toliver, Ulysses Wiley, and Warlfoyd Winters (hereinafter “Class Representatives” or “Plaintiffs”) and Class Counsel, Matthew Y. Harris (hereinafter “Harris”), Diandra Debrosse Zimmermann (hereinafter “Debrosse), Edgar C. Gentle, III (hereinafter “Gentle”), L.N. Chandler Rogers (hereinafter “Rogers”) and Sterling DeRamus (hereinafter “DeRamus”), (collectively referred to herein as “Class Counsel”), having been appointed Class Counsel for preliminary approval purposes [Dkt. 269], and hereby respectfully move this Court to enter an Order awarding attorney's fees, expenses and incentive payments to class representatives:

1. The Plaintiffs and Class Counsel move this Honorable Court to enter an Order awarding attorney's fees from the proposed settlement amount in the amount of Two Hundred Eighty Three Thousand Three Hundred and Thirty Three Dollars and Thirty Three Cents (\$283,333.33);

2. The Plaintiffs and Class Counsel move this Honorable Court to enter an Order awarding expenses to Class Counsel to be reimbursed from the proposed settlement amount in the amount of \$42,828.37;

3. The Plaintiffs and Class Counsel move this Honorable Court to enter an Order awarding incentive awards to each Class representative in the amount of Two Thousand and Five Hundred Dollars (\$2,500.00);

4. As discussed more fully in a supporting memorandum brief, the requested fees and expenses are well within the range of fees awarded in common fund class action cases such as this.

5. In support of this Motion for Attorney's Fees, Expenses and Incentive Payments to Class Representatives, Plaintiffs would rely on their Memorandum Brief, which is being filed contemporaneously, and the following Exhibits which are attached hereto and incorporated into said Motion by reference:

- Exhibit 1: Memorandum of Settlement Agreement;
- Exhibit 2: Class Action Settlement Agreement;
- Exhibit 3: Declaration of Diandra Debrosse-Zimmerman;
- Exhibit 4: Declaration of Edgar C. Gentle, III;
- Exhibit 5: Declaration of Matthew Y. Harris;
- Exhibit 6: Declaration of L.N. Chandler Rogers;
- Exhibit 7: Declaration of Sterling R. Deramus;

**WHEREFORE**, Plaintiffs and Class Counsel respectfully request that this Honorable Court enter an Order awarding:

1. Attorney's fees from the proposed settlement amount in the amount of Two

Hundred Eighty Three Thousand Three Hundred and Thirty Three Dollars and  
Thirty Three Cents (\$283,333.33);

2. Expenses to Class Counsel to be reimbursed from the proposed settlement  
amount in the amount of \$42,828.37;
3. Incentive awards to each Class representative in the amount of Two  
Thousand and Five Hundred Dollars (\$2,500.00); and
4. All further relief which this Honorable Court deems proper.

**RESPECTFULLY SUBMITTED**, this the 11th day of July, 2017.

/s/ Matthew Y. Harris  
MS STATE BAR NO. 99595

/s/ L.N. Chandler Rogers  
MS State Bar No. 102543

/s/ Diandra S. Debrosse Zimmermann  
AL State Bar No. ASB-2956-N76D *Admitted Pro Hac Vice*

/s/ Edgar C. Gentle, III  
AL State Bar No. ASB-0349-E68E  
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Sterling L. Deramus  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2017, the foregoing was filed with the Clerk of the Court using the CM/ECF system, which sent notifications of such filing to all counsel of record:

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**SO CERTIFIED**, this the 11th day of July, 2017.

/s/ L.N. Chandler Rogers